

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Christopher Bankston,

Civil 10-2778 DSD/FLN

Plaintiff,

v.

REPORT & RECOMMENDATION

Five Star Mining, et al.,

Defendants.

1. The complaint in this case was filed on June 30, 2010. When no answer was filed on behalf of defendant(s) or other appearance made within the time required by the rules, the Court issued an order on November 5, 2010, which by its terms required plaintiff to take certain action.

2. The Court's November 5, 2010, order was sent to Plaintiff via United States Mail. On November 12, the order was returned to the Court as "not deliverable, unable to forward".

3. On July 1, 2010, the Court referred Plaintiff to the Federal Bar Association Pro Se Project to assist Plaintiff in his claims against the Defendants. As communicated to the Court by the Pro Se Project Coordinator, it appears Plaintiff has declined the services of the Project. In that Plaintiff has not kept the Court apprised of his change in address, it appears that Plaintiff has abandoned his case filed on June 30, 2010.

RECOMMENDATION

Based upon the foregoing, IT IS RECOMMENDED that the court issue an order dismissing this case for lack of prosecution.

DATED: December 9, 2010.

S/ Franklin L. Noel
FRANKLIN L. NOEL
United States Magistrate Judge

Pursuant to the Local Rules, any party may object to this Report and Recommendation by filing

with the Clerk of Court and serving on all parties, on or before **December 23, 2010**, written objections which specifically identify the portions of the proposed findings or recommendations to which objection is being made, and a brief in support thereof. A party may respond to the objecting party's brief within ten days after service thereof. All briefs filed under the rules shall be limited to 3500 words. A judge shall make a de novo determination of those portions to which objection is made.

This Report and Recommendation does not constitute an order or judgment of the District Court, and it is, therefore, not appealable to the Circuit Court of Appeals.